

## Minutes of the State Board of Health March 8, 2006

The Washington State Board of Health (WSBOH) met at the AmeriTel Inn in Olympia, Washington. Dr. Kim Marie Thorburn, WSBOH Chair, called the public meeting to order at 9:05 a.m. and addressed the attendees with the following statement:

“This is a public meeting of the State Board of Health held under provisions of RCW 43.20. Notice of the meeting was provided in accordance with provisions of RCW 34.05, the Administrative Procedures Act. Those members having any conflict of interest on any item coming before the Board will report that conflict with respect to the particular subject under consideration. In case of challenge of any Board members by the public, the Board shall decide the status of the challenged members to participate before considering the substance of the matter.

Copies of all materials supplied to the Board for today’s meeting have been available since close of business last Friday from the Board’s Tumwater office and on its Web site at [www.sboh.wa.gov](http://www.sboh.wa.gov). They are also available today, along with anything else we have received since, at the table in the back of the room. To conserve public funds, we have only made as many copies as we felt would be needed, so we may run out of some particularly popular items. If you do not find a document you need, please ask Desiree Robinson, WSBOH Executive Assistant, or another Board staff person for one.

Our meeting today is open to the public, so please feel free to listen in on informal discussions involving Board members or staff, including any that may occur during breaks or lunch.”

### **SBOH members present:**

Kim Marie Thorburn, MD, MPH, Chair  
The Honorable Mike Shelton, Vice Chair  
Charles Chu, DPM  
The Honorable David Crump, PhD  
Ed Gray, MD

Keith Higman  
Mary Selecky, Secretary  
Mel Tonasket  
Karen VanDusen

### **SBOH member absent:**

Frankie T. Manning

### **State Board of Health Staff present:**

Craig McLaughlin, Executive Director  
Desiree Robinson, Executive Assistant

Ned Therien, Health Policy Analyst  
Tara Wolff, Health Policy Analyst

### **Guests and Other Participants:**

Harriett Amman, Department of Ecology  
Gary Arthur, WEA IEQ  
Jennifer Aspelund, Citizen  
Ania Beszterda, Lifelong Aids Alliance  
Art Busch, WEA

Carmen Caldwell, U.S. EPA  
Denise Clifford, Department of Health  
Mark Cooper, Citizen  
Maria Courogen, Department of Health  
Sara Cramer, Citizen

Michelle Davis, Department of Health  
David DeLong, TPCHD  
Eric Dickson, ESD 101  
Leslie Emerick, Department of Health  
Robert Femiano, Citizen  
Denise Frisino, Citizen  
James Green, Citizen  
Maryanne Guichard, Department of Health  
Chip Halverson, WEA IEQ  
Tim Hardin, TPCHD  
Rachael Hogan, Citizen  
Jim Kerns, ESD 101  
Cathy Kooy, WEA  
Amy Manchester Harris, Department of Health

Mark Soltman, Department of Health  
Maria Mason, Coalition for Environmentally Safe Schools  
Meliss Maxfield, Department of Health  
Jess Mosley, MCDEHS  
John Peppert, Department of Health  
Brian Peyton, Department of Health  
Annette Shillinger, Citizen  
Sally Soriano, Seattle School Board Member  
Thelma Simons, Citizen  
Angela Storey, Washington Toxics Coalition

### **APPROVAL OF AGENDA**

*Motion: Approve March 8, 2006 agenda*

*Motion/Second: Crump/Tonasket*

*Approved unanimously*

### **ADOPTION OF JANUARY 11, 2006 MEETING MINUTES**

*Motion: Approve the January 11, 2006 minutes*

*Motion/Second: Crump/Chu*

*Approved unanimously*

### **SBOH ANNOUNCEMENTS AND OTHER BOARD BUSINESS**

Craig McLaughlin, WSBOH Executive Director began his report by recognizing WSBOH Member Dr. Ed Gray's receipt of the American Medical Association's Dr. Nathan Davis Award. Mr. McLaughlin continued his announcements:

- Members of the public health, medical, and business community are being invited to a pandemic flu summit on April 14, 2006 in Tacoma, organized by Governor Gregoire, the State Division of Emergency Management, Department of Health (DOH), and the U.S. Department of Health and Human Services.
- Heather Boe will be joining the Board staff again April 1 as communications consultant.
- Maria Peña will be working with DOH and Board staff as an intern during the next few months on health disparities issues.
- The Working for Health Coalition released a report called *Are We Ready for a Washington "Katrina"* in December 2005. This report is similar to a report the Board calls for in its work plan. Although not exactly the same as the Board would prepare, there does not appear to be a need for Board staff to prepare a similar report.
- DOH and the Board have filed a CR-101 that separates rule making on standards for septic tank design from rule making for large onsite sewage systems.
- The dead animal disposal rule will be affected by a change this legislative session in a Washington State Department of Agriculture statute.

- Human remains rule stakeholder work is in progress.
- We are recruiting for Warren Featherstone Reid Award nominations.
- The Governor has issued executive order 06-02 regarding clear talk in government and streamlining business licensing practices.
- Recommendations have come out on the use of a new pertussis/tetanus vaccine.
- The House of Representatives in Congress has passed a bill (H.R 4167) to require states to limit food-labeling requirements to those mandated federally. The Senate has not taken up the bill.
- The work group providing consultation to the Joint Select Committee on Public Health Financing is working to develop outcome-based performance measure.
- Recent research indicates that soft drink consumption is a major cause of obesity.

David Crump, WSBOH Member, started a discussion about how experts define obesity and “epidemic” for obesity. Staff agreed to follow up with more information.

#### **DEPARTMENT OF HEALTH UPDATE**

Mary Selecky, Secretary of DOH and WSBOH Member described the Governor’s efforts on medical liability reform. She said emergency preparedness has improved substantially over the past five years. Washington State expects to get \$1.9 million federal money soon for local, state, and tribal partners to plan for pandemic flu. These funds must be used by August. DOH will try to get the money out to locals quickly. She said that she was encouraging agencies to hire project positions to do this planning so as not to over-burden regular staff. She mentioned that the Colville Tribal Council’s work is a model example for such planning activities.

#### **BOARD MEMBER COMMENTS AND CONCERNS**

Chair Thorburn asked whether members had any comments or concerns. Members discussed influenza pandemic issues. Mike Shelton, WSBOH Member, asked what was being done to include quarantine considerations in planning. Secretary Selecky said quarantine raises public concerns. Chair Thorburn commented that her health district has been considering this issue. Although quarantine authority is clear, enforcement is the problem. Dr. Gray commented that he does not believe quarantine will be effective in a pandemic. Charles Chu, WSBOH Member, asked whether international public health communicated and whether the public health community was coordinating efforts with school districts. Secretary Selecky said that these were very important communication chains that are being enhanced. Member Crump asked if planning included consideration of public panic. Chair Thorburn commented that a lot of planning concentrated on improving partnerships for risk communication. Secretary Selecky said she agreed that risk communication was key to helping prevent panic induced by news reports. Mel Tonasket, WSBOH Member, said communication should to be at a 6<sup>th</sup> grade level. Secretary Selecky said that the message was for families and communities to prepare.

*The Board took a break at 10:19 a.m. and reconvened at 10:33 a.m.*

#### **LEGISLATIVE UPDATE**

Secretary Selecky commented that this legislative session has been very successful for the Governor’s priorities. Mr. McLaughlin drew the Board’s attention to the material behind Tab 6,

which lists bills that the Board followed during the session. He pointed out items in the budget bill for DOH and Board activities and mentioned that the Governor could still veto items.

Mr. McLaughlin gave a brief overview of some of the bills of interest to the Board:

- HB 1458 would require local health officers in jurisdictions with marine recovery areas to do a higher level of planning for on-site sewage disposal. Keith Higman, WSBOH Member, asked if this is likely to require the Board to change the rule it recently adopted. Mr. McLaughlin said that he did not think it would. Secretary Selecky mentioned that protection of Puget Sound was high on the Governor's agenda. Member Shelton said he would be more comfortable with the bill if the Board's new on-site rules had been given time to work.
- SHB 2964 would create a Department of Early Learning. The Board supported the bill. It was one of the Governor's priorities.
- SB 5048 prohibiting tobacco product sampling finally passed.
- SB 5305 prohibits thimerosal in vaccines for pregnant women and children.
- SSB 6193 requires surveying diversity in health professions.
- SSB 6196 requires that one health and sanitation position on the Board be held by a health specialist from a federally recognized tribe. The bill honors Sue Crystal, a policy advisor to Governor's Lowery and Locke who passed away a few years ago.
- SB 6371 allows the state Department of Agriculture to develop rules with multiple options for disposal of diseased livestock carcasses.
- SSB 6197 establishes a Health Disparities Council and requires the Board review the impact of state policy on health disparities. The Board would need increased staffing, including extra temporary staff during legislative session. The Board would also need to ask for assistance from other agencies. Karen VanDusen, WSBOH Member, asked whether funding for positions would be ongoing past FY 2007. Mr. McLaughlin said that legislation indicates the work should be ongoing. Secretary Selecky commented that continued funding would need to be evaluated each year. The Council would meet twice a year. Therefore, Mr. McLaughlin said, the work would largely need to be done by staff. Dr. Gray and Member Shelton asked what the product would be. Mr. McLaughlin said that the Council would encourage some cross-agency strategies and produce policy reviews of legislative proposals. Member Shelton and Chair Thorburn said it would be nice if actions would follow recommendations; however, actions usually are restricted by funding limitations and shifting priorities. Member Tonasket suggested a plan should be kept simple and focus on a few issues to allow some success. Member Shelton agreed and said we need to avoid trying to "eat the elephant in one bite." Member Tonasket said he wanted the Board also to continue its work on health disparities. Member Crump commented that he was encouraged by passage of the bill. Secretary Selecky said the work of the Council would not be work of the Board; however, the Board would be part of this work.

### **STATE HEALTH REPORT DRAFT FOR TRANSMITTAL TO THE GOVERNOR**

Craig McLaughlin asked for comments on the draft State Health Report behind Tab 7. Board members talked about some typos and wording edits. Member VanDusen said she would like to see more discussion of the Board's work plans more graphics, such as showing success with

tobacco use reduction. She would also like to see an appendix with the status of the health of Washingtonians. She recommended more be mentioned about local programs in environmental health. Secretary Selecky commented that this seems to be a situation where fewer words provide greatest impact. Member Gray commented that the Department of Labor and Industries' portion was flattering but the program discussed has some problems.

***Motion: The Board approves the preliminary discussion draft of the 2006 State Health Report for submission to the Governor. Changes endorsed by the Board at today's meeting or requested by the Governor or her policy staff prior to the public forums can be made with the approval of the Chair.***

***Motion/Second: Crump/Higman  
Approved unanimously***

*The Board recessed for lunch at 11:55 a.m. and reconvened at 1:00 p.m.*

### **HEALTH EFFECTS OF MOLD IN BUILDINGS**

Member VanDusen reminded Board members that it has received testimony at previous meetings from teachers, parents, and students about health problems that appear to be associated with mold and other indoor air quality problems in schools. The purpose of today's presentation will be to raise the Board's level of awareness so it can consider the regulation of mold in the school environmental health and safety rules.

She indicated that the Board was fortunate to have Harriet Ammann as a presenter. Dr. Ammann will provide an overview of current scientific knowledge about the potential health effects of mold in indoor environments, such as schools, and strategies for controlling and managing those impacts. Dr. Ammann is a senior toxicologist with the Air Quality Program, Washington State Department of Ecology.

Harriett Amman, PhD, Department of Ecology, delivered a presentation on "Damp Indoor Spaces and Health: The IOM Report; What it means for Schools." (For details of the presentation, please see presentation in Tab 9). She reminded the Board that IOM committee members are not paid for their work and are carefully screened. She noted that "evidence of an absence" does not equate with "absence of evidence" and asked the Board to bear this in mind when considering the relationship between health effects and exposure concentration. She stressed that it is very important to rely on epidemiological studies and reports of occupants. She indicated that sometimes reports of occupants are more accurate than investigator observations. She concluded her presentation with a reminder that prevention is key and often less costly than fixing a problem. Since the IOM report was written, she said, more ways of keeping buildings dry and clean have been identified. These public health interventions can go a long ways toward preventing or quickly premeditating moisture problems.

Member Higman asked if the difference between sufficient evidence or cause-effect evidence was well understood. Dr. Amman explained that the committee used a uniform set of qualitative categorizations to evaluate epidemiological studies:

- Sufficient evidence: studies in which chance, bias, and confounding influences can be ruled out with reasonable certainty

- Limited/suggestive association: chance, bias, and confounding influences cannot be ruled out with confidence
- Inadequate/insufficient evidence of association: existing studies are of insufficient quality, consistency, or statistical power to permit a conclusion of association. Alternatively, no studies exist that have examined a relationship. In such situations, an association could not be ruled in or out.

She also indicated that more toxicology studies were being conducted. Chair Thorburn pointed out that large epidemiological studies can only look at associations and are not designed to ferret out causal relationships. Dr. Amman agreed and pointed out that in toxicology studies care must be taken not to generalize from animals to humans. Member Higman asked Dr. Amman to talk more about risk assessment. She indicated that sources of exposure are complex and that spores are the least likely sources of exposure. Small particles are the more likely culprit because they can aggregate on surface areas.

Member Shelton asked about the tension between balancing energy conservation concerns and indoor air quality concerns affecting health. Dr. Amman indicated that the mechanical ventilation required for energy conservation can cause health problems, but we know enough to deal with both issues effectively. Member VanDusen commented that many builders allow their building products to become wet during the construction phase. Dr. Amman noted that the materials should be kept dry to prevent problems down the road. She also said that there are remedies for many problems as long as they are tackled quickly. Builders need to pay special attention to hydrology and ground contamination. Decision makers need to get involved right away when there are problems, fix leaks, and ventilate for condensation problems. Member Tonasket invited Dr. Amman to stay and hear public testimony. He indicated that partnerships between state agencies would be important in preventing and addressing school building problems.

Member Crump commented on the prevalence of mold in many environments and the need to educate everyone involved in the building process. Member Higman explained that in his county, school plans are reviewed against criteria before they go out to bid and that building inspectors are intricately involved in the entire process (both looking at design specifications and conducting inspections). Low bids are accepted but children are protected since school plans are reviewed against criteria. Member Tonasket commented that public officials are compelled to accept a low bid and good design specifications were key to assuring good buildings. Ned Therien, WSBOH Staff, asked Dr. Ammann to clarify that observations of moisture and mold are more useful than sampling for contaminants. Dr. Amman agreed and stressed the importance of keeping track of occupant perceptions and observations. Member Crump asked what threshold of proof insurance companies needed. Dr. Amman indicated that it depended on the situation but that the IOM report argues that the presence of moisture is acceptable proof.

### **SCHOOL ENVIRONMENTAL HEALTH RULE UPDATE**

Member VanDusen explained the Board's authority to regulate environmental conditions in schools. She reminded Board members of the process used in revising the rules and the

impetuses for change (emerging issues, new technology, and rules developed by other agencies). She explained that today's presentation would focus on contents of the first rule revision proposal and outline how it is based on School Rule Development Committee (SRDC) input. She noted that today's presentation would also point out differences between the proposed rule and SRDC input. Member VanDusen explained that DOH would be holding workshops around the state to find out if this draft meets the expectations of stakeholders and that DOH would revise the rule accordingly in May and share those revisions with the Board.

Ned Therien introduced three panelists from DOH: Maryanne Guichard, Director of the Office of Environmental Health and Safety, Nancy Bernard from the School Program, and Meliss Maxfield from the Drinking Water Program. He then drew the Board's attention to the School Rule Development Process chart (see Tab 8) and explained the schematic.

Ms. Guichard took the Board through her PowerPoint presentation on K-12 Environmental Health and Safety Rules (WAC 246.366). See Tab 8 for a copy of the slides. She noted that the DOH drinking water recommendations were not consistent with the SRDC proposals.

Member Tonasket commented that if guidance was not satisfactorily ensuring performance, it should not take a long time to come back to the Board so that it could be changed to a rule.

Member Higman asked about the fit between EPA lead monitoring guidance and recommendations from DOH in the draft. Meliss Maxfield from DOH explained that EPA's "3-Ts" guidance was used in the school rule draft. It is built on the model followed by water utilities. She also noted that the "3-Ts" guidance only applies to lead in school drinking water, not copper. The requirements are scalable for the large and small schools. Secretary Selecky commented that the creation of guidelines is something the Board has called for before. She mentioned an example was for transient accommodations standards.

Member VanDusen noted that there was a section regarding exemptions that she was uncomfortable with and asked that DOH take another look at that section. She said that waivers are more acceptable to her than exemptions. Chair Thorburn asked if local health jurisdictions (LHJs) without school inspection programs had been surveyed. Ms. Bernard indicated that they had been surveyed and explained that LHJs without programs say that it is due to a lack of funding and/or training, or in some cases, resistance from local boards of health. Member VanDusen said funding is an issue and wondered if the Legislature would be interested in funding school inspections. Ms. Guichard indicated that this question had not been posed yet. Secretary Selecky noted that this question would need to be asked in partnership with others and with consideration for all priorities. Chair Thorburn indicated that some rules have enabling clauses to allow for local fee collection and wondered why this had not been considered. Ms. Guichard said she would look into that option. Chair Thorburn thanked the panel.

*The Board took a break at 2:50 p.m. and reconvened at 3:05 p.m.*

### **HIV EMERGENCY RULE**

Chair Thorburn explained that due to shifts in federal funding requirements, Washington needed to make changes in way it reports HIV surveillance data reported to the CDC—specifically that

it needs to retain names for cases of HIV infection. Without such changes, the state would lose millions of dollars of federal funding. She explained that this day the Board was considering an emergency rule, which would be effective for a maximum of 120 days. To make the revision lasting, the Board would need to adopt a permanent rule eventually.

Ned Therien introduced John Peppert, Acting Director of the DOH Division of Infectious Disease and Reproductive Health. Mr. Peppert addressed four questions: (1) Why this emergency rule is needed? (2) What has changed? (3) What stakeholders said? (4) What is included in the emergency rule? (See DOH handout in Tab 10 for his explanation.)

Member Higman asked if DOH anticipated opposition to this emergency rule. Mr. Peppert said he did not anticipate opposition to the emergency rule but perhaps the permanent rule. Member VanDusen asked if people would feel better if the words “confidential, secure” were added to “database.” Chair Thorburn reminded the Board that it was only considering the emergency rule today. She also noted that Ania Beszterda from the Life Long AIDS Alliance had requested to give testimony today. Ms. Beszterda testified that the Alliance was opposed to both the emergency and permanent rule changes. She referred the Board to a letter detailing security breaches and explained that the AIDS community is disenfranchised and distrustful of government. She said the AIDS community would feel betrayed if their personal data is restored and held locally indefinitely, and that they had shared their personal data with an understanding that it would only be code identified. Member VanDusen asked her how services could still be provided to the groups signing the letter protesting the changes if funding was lost. Ms. Beszterda replied that we still do not know exactly how the CDC will respond because no one has tested this. Secretary Selecky explained that the federal government was reducing public health funding in a number of areas. She explained that if Washington State does not report this data as requested by the CDC, the result would be that these cases will not be counted and funding to Washington will drop accordingly. Member Crump commented that confidentiality, trust, and mishaps need to be taken into consideration when the permanent rule is put into place. Member VanDusen asked if it was necessary to reverse coded identifiers to names for those cases identified in the past to comply with the federal reporting requirements. Mr. Peppert replied that it was, if the state did not want to lose four to five million dollars of funding. Chair Thorburn called the Board’s attention to the motion in front of them. Member Crump made the motion with a slight amendment to the draft motion in the Board’s packet material, adding a third statement reading: “The board shall review this on or before June 14, 2006.”

***Motion:***

- 1. The Board finds that existing rules that prohibit the Department of Health keeping records with the names of HIV-infected individuals threatens the loss of millions of dollars of federal funding to state and local health services in Washington. This constitutes an emergency situation for rule making under RCW 34.05.350(1)(b).***
- 2. The Board adopts an emergency rule revising WAC 246-101-520 and WAC 246-101-635 according to the draft CR-103 proposed by the Department of Health this day.***
- 3. The board shall review this rule on or before June 14, 2006.***

***Motion/Second: Crump/VanDusen***



*Approved unanimously.*

### **UPDATE ON PUBLIC FORUMS**

Craig McLaughlin discussed the materials behind Tab 11 including the draft forum agenda. He said that organizational logistics of the forum in Spokane have been coordinated with Spokane Regional Health District. He explained that the agenda has been reviewed by the governor's policy staff and they will participate in the forum. Member Crump wondered if the order of the forum could be changed so that members of the public could speak first. Chair Thorburn commented that local community members have already been invited to provide local issues reports so it would be difficult to re-order the agenda. Member VanDusen commented that she thought the time was too short for the public to discuss issues. Member Tonasket said he was not sure what the purpose of the local presentations was and he wondered if they would be appreciated by members of the public. Member Gray commented that past forums have not been well attended and that there was not much response to concerns voiced by the public. Secretary Selecky suggested tightening up "talking head" time so that there would be more time to hear from the public. Mr. McLaughlin said he would take these suggestions into account and make course corrections as they are needed.

### **PUBLIC TESTIMONY**

Chair Thorburn read a short statement on public testimony.

Chip Halverson, mentioned that his Washington Education Association workgroup has participated in discussions with the Governor, legislators, and officials in Washington, D.C. Particulates (especially fiberglass) are a major concern. He said his group has been working with DOH staff on these issues. His group sees the need for rules with teeth. He would like the workshops to continue for several months and the comments go back to the SRDC. His group recommends that sound attenuation in plenums by fiberglass should be prohibited.

Cathy Kooy, Washington Education Association, commented on the need for state standards. She talked about her disability caused by exposure to fiberglass and the need for particulate testing requirements. She said without standards, the school district where she worked chose the most economical response.

Denise Frisino, citizen, provided copies of sampling results for particles around Hamilton school and pictures of mold growth in that school and Nathan Hale. She commented that the school district did not respond to her requests for action and indicated it was difficult to determine who to go to for action.

Angela Storey, Washington Toxics Coalition, said her organization is advocating to reduce children's exposure to toxic chemicals in schools. She said the draft rule was inadequate. She commented that the proposal has huge differences from the SRDC recommendations and that many provisions were not detailed enough. She identified three concerns: (1) a piecemeal approach is used in the draft rather than a whole systems approach to creating a healthy environment in schools; (2) the process was flawed—only one parent representative participated; and (3) attention to detail was uneven—for example it was specified that every hand washing

station have paper towels but inadequate attention was paid to the quality of the water at the station. She would like to see the precautionary principle used.

Mark Cooper, parent member of the SRDC, commented that school districts have a history of not responding adequately to health issues in schools. He asked for mandatory evacuation if mold is found in classrooms. He asked that health protection outweigh cost concerns in developing the school rule. He called the DOH document a betrayal of public trust that did not represent everyone's input. He felt the winners were DOH, Office of Superintendent of Public Instruction (OSPI), and risk managers. He believes the Legislature will work with DOH if they quit concealing problems in schools and phase in solutions. He urged the board to create an ombudsman in the Office of the Attorney General.

Sally Soriano, Seattle School Board Director, stated that her district is an example of the problem —districts will not protect health without strong rules. Even as a local board member, she has not been able to change that. She called for an ombudsman in the Attorney General's (AG) office. She encouraged the involvement of the Legislature. She said psychological assessments of disorders should not be used to discredit mold victims. She encouraged the Board not to adopt flawed proposals.

Gary Arthur, WEA IEQ, described his efforts to draw attention to air quality problems in schools. He is a fifth grade teacher in a Seattle school. He said he has become a contact for teachers and others around the state concerned about mold problems in schools. He put this issue before the Washington Education Association (WEA) and they passed a proposal concerning indoor air. Teachers are told by principals not to talk to parents about health symptoms and dampness problems. He spoke of his wife's systemic infection with mold. He said DOH staff has been part of the problem by calling complaints hysteria. He also called for an ombudsman in the AG's Office and said guidelines were not enough to address the issues.

Jennifer Aspelund, citizen, described her observations of the SRDC process and stated that OSPI and local school districts voted against strong rules. She said the draft does not address many of the SRDC proposals. As an example, proposal #9 about carbon dioxide monitoring had disappeared. She said she was uncomfortable with responsibility for compliance going to risk managers in schools. She commented about a DOH employee calling complaints of indoor air quality problems "mental." She also called for an ombudsmen at the AG's Office. Harriet Ammann interjected that occupants of buildings need to be listened to regarding indoor air quality concerns and that teachers do not tend to be the complaining type.

Member VanDusen asked staff to investigate Board authority to request establishment of an ombudsman in the AG's Office.

Robert Femiano, first grade teacher, asked whether anyone cares about health complaints from teachers and students. He said that when he asked his school district to address mold and moldy smells, the school district showed no interest in correcting problems. He called for strong regulations and a state-level mold response team.

Thelma Simons, alternate parent member of the SRDC, mentioned that she testified many times before to the Board about mold problems in schools. She said the same contractor has been associated with construction problems at many different schools. She said it is important to build schools that do not have flat roofs. She thinks complaints about school mold problems are being shuffled from agency to agency. She indicated that the goals of the SRDC have not been met. She called for an ombudsman in the AG's office.

James Green, parent, said he considers the draft ambiguous and vague. He said the draft rule does not protect children or assure accountability. If requirements are put into rule, the money will follow. He suggested a need for stronger identification of who is responsible for assuring things happen. He asked: "Who decides if kids must attend schools that make them sick?" He asked for the SRDC to be reconvened to determine if its goals had been met.

Art Busch, WEA, said he has been working with these kinds of environmental issues for ten years. He said the current system does not require anybody to be in charge of solving problems. There are no consequences for school districts that fail to act responsibly. The draft does not reflect recommendations of the SRDC and does not require an adequate amount of responsibility.

Maria Mason, Coalition for Environmentally Safe Schools, spoke about her children's health problems at Blakely School. She said she is tired of officials telling her that she is hysterical and no one is doing anything to correct problems. She called for an ombudsman in the AG's Office.

Sara Cramer, parent, related her son's health problems after exposure to solvents used for a renovation at Blakely School. He developed sensitivity to many chemicals. Other students also complained of symptoms, but the school district took no action. Her son had to start wearing a mask at all times to protect him from chemical exposures. This caused discrimination and difficulties with police. He committed suicide at 22 years of age last year.

Carmen Caldwell, EPA, explained a tool her agency has developed called "HealthySeat" to help school districts assess and prevent health hazards from environmental exposures.

Rachael Hogan, parent, said her son would complain of terrible stomach pains before dinner. She later found out his school had high concentrations of copper in drinking water and his symptoms were consistent with copper poisoning. She called for strong rules, not guidelines, on copper.

## **ADJOURNMENT**

Chair Thorburn adjourned the meeting at 5:07 p.m.